

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

20-CR-05

CHRISTOPHER D. CASACCI  
d/b/a Exotic Cubs.com,

**SUPERSEDING  
INFORMATION**

Defendant.

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**INTRODUCTORY ALLEGATIONS**

**The United States Attorney Charges That:**

At all times relevant to this Superseding Information:

1. The defendant, CHRISTOPHER D. CASACCI, was a resident of Amherst, New York, and operated the website [www.exoticcubs.com](http://www.exoticcubs.com), which engaged in the import and retail sale of African wild cats.

2. The Lacey Act, 16 U.S.C. §§ 3371 *et seq.*, made it unlawful for any person to transport, sell, receive, acquire, or purchase in interstate commerce any fish or wildlife, when the person knew or should have known that fish or wildlife was taken, possessed, transported, or sold in violation of a wildlife-related law or regulation of a State.

3. Pursuant to New York Environmental Conservation Law Section 11-0512(1)(a), it was unlawful in New York for any person to knowingly possess, harbor, sell, barter, transfer, exchange or import any wild animal for use as a pet.

4. The Lacey Act also made it unlawful to make or submit any false record, account, label for or identification of wildlife that has been or is intended to be transported in interstate or foreign commerce.

5. The Animal Welfare Act, 7 U.S.C. § 2134, prohibited anyone acting as a “dealer” or “exhibitor,” as those terms are defined under 7 U.S.C. §§ 2132, *et seq.*, and the Act’s implementing regulations, from selling or transporting, or offering to sell or transport, any animals, unless and until that person has received a license from the United States Department of Agriculture (USDA).

6. The caracal (*Caracal caracal*), also known as the “desert lynx,” was a species of wild cat native to Southern and Eastern Africa. Caracals grow to approximately 14 to 57 pounds, and are nocturnal carnivores typically found in deserts, savannas, and dry forests.

7. Caracals have been listed on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (“CITES”) since 1975.

8. The serval (*Leptailurus serval*) was a species of wild cat native to Africa, predominately the sub-Saharan region. Servals grow to approximately 13 to 40 pounds, and are crepuscular carnivores typically found in grasslands and wetlands.

9. Servals have been listed on Appendix II of CITES since 1977.

**COUNT 1**  
**(Lacey Act Trafficking)**

**The United States Attorney Further Charges That:**

1. The Introductory Allegations of this Superseding Information are incorporated by reference and re-alleged as if fully set forth herein.

2. From on or about February 19, 2018, to on or about June 7, 2018, in the Western District of New York, and elsewhere, the defendant, CHRISTOPHER D. CASACCI, knowingly engaged in conduct involving the sale of, offer of sale of, and intent to sell wildlife, that is, caracals and servals, with a market value in excess of \$350, by knowingly selling and transporting such wildlife in interstate commerce, knowing such wildlife was possessed and transported in violation of the laws and regulations of New York State, specifically New York Environmental Conservation Law Section 11-0512(1)(a).

**All in violation of Title 16, United States Code, Sections 3372(a)(2)(A) and 3373(d)(1)(B).**

**COUNT 2**  
**(Lacey Act False Labeling)**

**The United States Attorney Further Charges That:**

1. The Introductory Allegations of this Superseding Information are incorporated by reference and re-alleged as if fully set forth herein.

2. From on or about April 6, 2018, to on or about May 15, 2018, in the Western District of New York, and elsewhere, the defendant, CHRISTOPHER D. CASACCI, knowingly engaged in conduct involving the sale of, offer of sale of, and intent to sell wildlife,

that is, caracals and servals, with a market value greater than \$350, by knowingly making and submitting, and causing to be made and submitted, a false record, account, label for, and false identification of wildlife, which wildlife were and were intended to be transported in interstate commerce, in that the defendant falsely labeled, and caused to be falsely labeled, such wildlife.

**All in violation of Title 16, United States Code, Sections 3372(d)(2) and 3373(d)(3)(A)(ii).**

**COUNT 3**  
**(Animal Welfare Act)**

**The United States Attorney Further Charges That:**

1. The Introductory Allegations of this Superseding Information are incorporated by reference and re-alleged as if fully set forth herein.

2. From on or about February 15, 2018, to on or about June 7, 2018, in the Western District of New York, and elsewhere, the defendant, CHRISTOPHER D. CASACCI, did knowingly, and while acting as a “dealer” under the Animal Welfare Act, sell, transport, and offer to sell and transport, in interstate commerce for use as pets, animals, that is, caracals and servals, without obtaining the requisite license from the United States Department of Agriculture.

**All in violation of Title 7, United States Code, Sections 2134 and 2149(d).**

Dated: Buffalo, New York, April 27, 2021.

JAMES P. KENNEDY, JR.  
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